

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of: GOODWIN et al.

Docket No.: 2804-I

Serial No.: 09/628,126

Examiner: M. Jamroz

Filed: July 28, 2000

Group Art Unit: 1644

For: CD30 LIGAND

PRELIMINARY AMENDMENT IIIAssistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Please amend the subject application as follows, prior to examination.

In the Claims:Cancel claims 31 and 47-49, without prejudice.
Amend claim 66 to read as follows:

C1 29 28
66. (amended) A method according to claim 66, wherein the radionuclide is selected from the group consisting of ¹³¹I, ²¹¹At, ⁷⁷Br, ¹⁸⁶Re, ¹⁸⁸Re, ²¹²Pb, ²¹²Bi, ¹⁰⁹Pd, ⁶⁴Cu, and ⁶⁷Cu.

REMARKS

On October 31, 2001, a second Restriction Requirement was issued in the subject application. On November 20, 2001, in response to this second Restriction Requirement, Applicants elected, without traverse, the invention of Group II. The above-presented amendment serves to cancel claims 31 and 47-49, which are directed to the invention of Group III as presented in the October 31, 2001 restriction requirement.

The amendment presented above cancels claims 31 and 47-49, without prejudice, as being drawn to a non-elected invention. Claims 31 and 47-49 are cancelled in an effort to advance prosecution of the subject application.

Claim 66 has been amended so that the recited radionuclides correspond to the list of radionuclides suitable for therapeutic use that are disclosed on page 15, lines 12-13 of the subject specification.